

FACT CHECK INCLUDED BELOW

News from Ed Markey

United States Congress

Massachusetts Seventh District

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BUSH, RICE MISLEAD AMERICANS ON TORTURE OUTSOURCING

*U.S. Sends Prisoners to Uzbekistan, Syria, Other Countries Known To
Torture*

WASHINGTON, DC- In the latest effort to mislead the public about the shameful U.S. practice of outsourcing prisoners to third countries -- known as 'extraordinary rendition' -- President Bush issued the following statement, "We do not render to countries that torture, that has been our policy and that policy will remain the same." Yet, moments later the President defended the practice stating that the success of the war on terror depends on such covert operations. Representative Ed Markey (D-MA), author of the "Torture Outsourcing Prevention Act," made the following statement on the President's deliberate efforts to mislead the public on the practice of rendition.

"The President said today that 'we abide by the law of the United States, that we do not torture' then why is his Vice President lobbying for a loophole that allows American officers to continue engage in torture or other forms of humiliating or degrading treatment, and to transfer such prisoners to known human rights violators for interrogation ? The President needs to get his facts straight on this dangerous policy that has smeared U.S. credibility around the world.

"President Bush is not being honest with the American public. Uzbekistan and Syria, two of the destinations of U.S. captured prisoners -- are countries named in our own U.S. State Department Human Rights Report as known torturers. This Administration needs to put an end to its campaign to defend this shameful practice and start putting energy into restoring the credibility we have lost around the world.

"In order to meet its obligations under the Convention Against Torture, this Administration has been engaging in a piece of legalistic fiction. It asks the torturing country for 'diplomatic assurances' that the transferred detainee will not be tortured on the theory that a torturing country will keep its word to leave our suspects alone. Based on those assurances, it argues that our

obligations under the Convention Against Torture have been met since there's no longer a substantial likelihood that the person we are sending to one of these known torturing countries will, in fact, be tortured," said Representative Markey. He added, "The Administration is employing tortured logic in service of a policy of outsourcing torture."

Rep. Markey is the author of the "Torture Outsourcing Prevention Act," a bill which would bar extraordinary rendition to countries that torture and which would sharply restrict the practice of obtaining diplomatic assurances to facilitate such renditions. An amendment derived from his bill was attached to the House version of the Defense Appropriations bill and last month Rep. Markey organized a letter, signed by 57 House Members, urging appropriators to include both the McCain anti-torture amendment and the Markey anti-rendition amendment in the final defense spending bill.

TORTURING THE FACTS: BUSH FACT CHECK ON RENDITION

BUSH CLAIM: We "arrest people and send them back to their country of origin with the promise that they won't be tortured."

FACT: Canadian Citizen Maher Arar was not returned to his country, Canada, but instead was sent to Syria via Jordan even though he pleaded to be returned to Canada for fear he would be tortured in Syria. Mr. Arar was reportedly tortured in Syria. He was released without ever being charged. [His Year in Hell," *CBS News*, January 21, 2004]

FACT: Australian Citizen Mamdouh Habib was detained in Pakistan and sent to Egypt, not to Australia. Mr. Habib was reportedly tortured while in Egypt. Mr. Habib was also transferred to Afghanistan and Guantanamo and was recently released after 40 months of detention. Mr. Habib was never charged to with any crime. ["Rule Change Lets C.I.A. Freely Send Suspects Abroad to Jails," *New York Times*, March 6, 2005]

FACT: German Citizen Khaled el-Masri, was detained at the border of Serbia and Macedonia. He was sent to Afghanistan where he was beaten. He was released 5 months later without being charged with any crime. ["Rule Change Lets C.I.A. Freely Send Suspects Abroad to Jails," *New York Times*, March 6, 2005]

BUSH CLAIM: "This country does not believe in torture."

FACT: The Bush Administration signed a directive expanding executive authority to engage in rendition without restriction and speeding up the procedures for sending prisoners overseas. ["Rule Change Lets C.I.A. Freely Send Suspects Abroad to Jails," *New York Times*, March 6, 2005]

FACT: Former Government Officials place the number of rendered persons around 150 since 9/11. [“Rule Change Lets C.I.A. Freely Send Suspects Abroad to Jails,” *New York Times*, March 6, 2005]

FACT: “Several individuals who were transferred by the United States into the hands of foreign officials were reportedly tortured during detention and interrogation and have since been released without charge. Amnesty International - www.amnestyusa.org

BUSH CLAIM: “We seek assurances that nobody will be tortured when we render a person back to their home country.”

FACT: The Bush Administration signed a directive expanding executive authority to engage in rendition without restriction and speeding up the procedures for sending prisoners overseas. [“Rule Change Lets C.I.A. Freely Send Suspects Abroad to Jails,” *New York Times*, March 6, 2005]

FACT: American Officials say they sought assurances from Syria that they would not torture Mr. Maher Arar prior to sending him to Syria. Mr. Arar was reportedly tortured anyway. [His Year in Hell,” *CBS News*, January 21, 2004]

FACT: “Detainees have described being subjected to coercive interrogation techniques and brutal treatment during months spent in detention under the program in Egypt and other countries.” [NY Times, 3/6/05, <http://www.nytimes.com/2005/03/06/politics/06intel.html>]

FACT: Since Sept. 11, 2001, secret renditions have become a principal weapon in the CIA's arsenal against suspected al Qaeda terrorists, according to congressional testimony by CIA officials. But as the practice has grown, the agency has had significantly more difficulty keeping it secret. [Washington Post, <http://www.washingtonpost.com/ac2/wp-dyn/A27826-2004Dec26?language=printer>, 1/27/04]